

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK**

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	:	Chapter 11
	:	
	:	Case No. 19-71020 (REG)
IN RE:	:	Case No. 19-71022 (REG)
	:	Case No. 19-71023 (REG)
DÉCOR HOLDINGS, INC., <i>et al.</i> , ¹	:	Case No. 19-71024 (REG)
	:	Case No. 19-71025 (REG)
Post-Confirmation Debtors.	:	
	:	(Substantively Consolidated)
	:	
	:	Hon. Robert E. Grossman
-----	X	
BRYAN RYNIKER, IN HIS CAPACITY AS	:	
LITIGATION ADMINISTRATOR OF THE	:	
POST-CONFIRMATION ESTATES OF	:	
DÉCOR HOLDINGS, INC., <i>et al.</i> ,	:	
	:	
Plaintiff,	:	
	:	Adv. Pro. No. 20-08140 (REG)
v.	:	
	:	
VALDESE WEAVERS, LLC,	:	
	:	
Defendant.	:	
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JOINT PRETRIAL MEMORANDUM

Plaintiff Brian Ryniker in his capacity as the Litigation Administrator (the “Litigation Administrator”) of the post-confirmation estates of Décor Holdings, Inc., *et al.* (the “Debtors”) and Defendant Valdese Weavers, LLC (“Valdese”), by and through counsel, submit this *Joint Pretrial Memorandum* pursuant to Paragraph 2 of the *Final Pretrial Order* [Dkt. No. 14].

¹ The debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number, are: Décor Holdings, Inc. (4174); Décor Intermediate Holdings LLC (5414); RAD Liquidation Inc. (f/k/a The Robert Allen Duralee Group, Inc.) (8435); RAD Liquidation LLC (f/k/a The Robert Allen Duralee Group, LLC) (1798); and RADF LLC (f/k/a The Robert Allen Duralee Group Furniture, LLC) (2835).

- (A) **The name, address and telephone number of each witness, separately identifying those whom the party expects to present and those whom the party may call if the need arises.**

Attached hereto as **Exhibits A and B** is the Litigation Administrator's and Valdese's witness lists, respectively. No witness not identified in Exhibits A and B shall be permitted to testify on either party's case in chief absent good cause shown.

- (B) **A list of witnesses whose testimony is expected to be presented by means of a deposition and, if taken stenographically, a transcript of the pertinent portions of the deposition testimony.**

No such testimony will be given.

- (C) **A list of witnesses intended to be called as experts, together with any objections to their qualification.**

No expert witness will be called by either party.

- (D) **A list of (i) all exhibits stipulated to be admissible, (ii) plaintiff's proposed additional exhibits and (iii) any other party's proposed additional exhibits.**

Attached hereto as **Exhibits C and D** is the Litigation Administrator's and Valdese's exhibit lists, respectively. No exhibit not listed in Exhibits C and D may be used at trial except (a) for cross-examination purposes or (b) if good cause for its exclusion from the pretrial order is shown. Any objections not set forth in Exhibits C and D will be considered waived absent good cause shown.

- (E) **A statement of any objection, together with the grounds therefor, reserved as to the admissibility of a deposition designated by another party and/or to the admissibility of documents or exhibits.**

The parties state that no deposition testimony is being designated by either party. The parties' objections to the admissibility of the other party's proposed documents and exhibits is found in **Exhibits C and D**, respectively.

(F) Statement confirming that the parties have exchanged copies of the exhibits.

The parties confirm that they have exchanged copies of the other party's exhibits, other than potential exhibits that are yet to be produced in connection with a trial subpoena.

(G) Facts which are admitted and which require no proof.

The parties stipulate to the facts in Exhibit E. These stipulated facts require no proof at trial and will become part of the evidentiary record in this case.

(H) The issues of fact which remain to be litigated (evidence at trial shall be limited to these issues).

The issues of facts, which remain to be litigated is contained in Exhibit F.

(I) The issues of law to be determined.

The parties' joint issues of law to be determined is contained in Exhibit G.

(J) A brief statement summarizing the Plaintiff's case.

The Litigation Administrator's brief statement summarizing his case is contained in Exhibit H.

(K) A brief statement summarizing the Defendant's case.

Valdese's brief statement summarizing its case is contained in Exhibit I.

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Dated: New York, New York
June 28, 2022

OLSHAN FROME WOLOSKY LLP

By: /s/ Jonathan T. Koevary

Michael S. Fox

Jonathan T. Koevary

1325 Avenue of the Americas

New York, NY 10019

Tel.: (212) 451-2300

mfox@olshanlaw.com

jkoevary@olshanlaw.com

Attorneys for Valdese Weavers, LLC

22167796

Dated: New York, New York
June 28, 2022

LOEB & LOEB LLP

By: /s/ Noah Weingarten

Schuyler G. Carroll

Noah Weingarten

345 Park Avenue

New York, New York 10154

Tel.: (212) 407-4000

scarroll@loeb.com

nweingarten@loeb.com

*Attorneys for Brian Ryniker,
Litigation Administrator*